



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/251,480	02/17/1999	KAMRAN AMJADI	24122-402	3291

29315 7590 06/30/2003

MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO PC
12010 SUNSET HILLS ROAD
SUITE 900
RESTON, VA 20190

EXAMINER

DINH, KHANH Q

ART UNIT	PAPER NUMBER
----------	--------------

2155

23

DATE MAILED: 06/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/251,480

Applicant(s)

AMJADI, KAMRAN

Examiner

Khanh Dinh

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the Amendment filed on 4/15/2003 (paper #23). Claims 1-21 are presented for examination.

Claim Rejections - 35 USC ' 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by MacNaughton et al US pat. No.5,796,393.

As to claim 1, MacNaughton discloses a method performed by a server (18 fig. 1) for accessing incentives in a network, comprising:

receiving an access request froth a device associated with a user and connected to the network and transmitting identifying information of at least one of the subscriber identification and a

server identification (i.e., each community is identified by a text name and an identification number and has an associated port number through a interaction between a Community Client and a server, see col.9 lines 1-41)corresponding to the access request to a host (see abstract, fig. 1, col.3 line 8 to col.4 line 32 and co1.5 line 13 to co1.6 line 24);

receiving incentive information from the host reflecting available incentives corresponding to the identifying information, and transmitting a network document, including the incentive information of at least one of the subscriber identification and a server identification (i.e., each community is identified by a text name and an identification number and has an associated port number through a interaction between a Community Client and a server, see col.9 lines 1-41), to the device associated with the user in response to the access request (see co1.6 line 25 to co1.7 line 61 and col.8 lines 10-65).

As to claim 2, MacNaughton discloses receiving a request for a document stored at least in part on the server (see co1.6 line 25 to co1.7 line 61).

As to claim 3, MacNaughton discloses determining whether an indication exists that the user subscribes to receive information of at least one of the subscriber identification and a server identification associated with available incentives (see co1.7 line 14 to co1.8 line 65 and col.9 lines 1-41).

As to claim 4, MacNaughton discloses determining whether an indication exists that the user subscribes to receive information of at least one of the subscriber identification and a server identification associated with available incentives, includes: transmitting a subscriber request to the device associated the user; and receiving a response from the device associated with the user, including a subscriber identification (i.e., user ID memberships, see co1.8 line 10 to col.9 line 41).

As to claim 5, MacNaughton discloses transmitting a subscriber identification corresponding to the device associated with the user to the host and a server identification corresponding to the server (login IDs, see fig.2, co1.8 line 10 to co1.10 line 67 and col.11 line 13 to col.12 line 41).

As to claim 6, MacNaughton discloses receiving incentive information reflecting a selection of incentives based on at least one of the subscriber identification and the server identification (see fig.2, co1.8 line 10 to col.10 line 67 and col.11 line 13 to co1.12 line 41).

As to claim 7, MacNaughton discloses transmitting a subscriber identification corresponding to the device associated with the user to the host (see fig.2, co1.8 line 10 to co1.10 line 67 and col.11 line 13 to col.12 line 41).

As to claim 8, MacNaughton discloses a computer-implemented method for accessing incentives in a network, comprising:

transmitting an access request to access a server in the network, receiving a subscriber request for a subscriber identification associated with the access request see abstract (see fig. 1, col.3 line 8 to co1.4 line 32 and co1.5 line 13 to col.6 line 24, fig.2, col.8 line 10 to col.10 line 67 and col.11 line 13 to co1.12 line 41). transmitting the subscriber identification to the server and receiving, in response to the access request, incentive information reflecting available incentives corresponding to the subscriber B), wherein the server provides the subscriber identification to a host that selects and transmits the incentive information to the server based on at least on the subscriber identification (i.e., each community is identified by a text name and an identification number and has an associated port number through a interaction between a Community Client and a server, see fig.2, col.8 line 10 to co1.10 line 67 and col.11 line 13 to col.12 line 41).

As to claim 9, MacNaughton discloses providing a browser enabling a user to formulate and transmit the access request (see co1.5 lines 14-67).

As to claim 10, MacNaughton discloses receiving selected incentive information reflecting a server identification associated with the server, wherein the server provides the server m to the host for selection of the incentive information (see co1.7 line 48 to co1.9 line 27, co1.10 lines 12-67 and col.11 lines 13-51).

Claims 11-20 are rejected for the same reasons set forth in claims 1-10 respectively.

As to claim 21, MacNaughton discloses a system for distributing information in a network, comprising:

a host server (18 fig. 1) having at least one of an incentive distribution module and an account creation module accessible to a plurality of subscribers, a plurality of network servers (24, 28, 32 fig. 1) coupled to and selectively accessible to the host server for providing identification of on at least on the subscriber identification and server identification to the host (i.e., each community is identified by a text name and an identification number and has an associated port number through a interaction between a Community Client and a server receiving data corresponding to subscribers, see abstract, fig. 1, co1.3 line 8 to co1.4 line 32, co1.5 line 13 to co1.6 line 24 and col.9 lines 1-41).

at least one client machine coupled to and selectively accessible to at least one of the network servers for accessing network documents, wherein when at least one subscriber causes the client machine to access one of the network servers, the accessed network server communicates with the host server to obtain data corresponding to the subscriber for presentation to the at least one subscriber, and wherein the at least one client machine is adapted to present from the host for at least one (see col.6 line 25 to col.7 line 61, co1.8 lines 10-65 col.8 line 10 to co1.10 line 67 and col.11 line 13 to co1.12 line 41).

Response to Arguments

4. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Claims 1-21 are *rejected*.
6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 4:00 P.m.

Application/Control Number: 09/251,480
Art Unit: 2155


Page 6

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam Hosain, can be reached on (703) 308-6662. The fax phone number for this group is (703) 746-7239.

A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned (35 U.S. C . Sect. 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.

Khanh Dinh
Patent Examiner
Art Unit 2155
6/26/2003


HOSAIN T. ALAM
PRIMARY EXAMINER